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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/377,821 | 08/20/1999 | KANAME NIHEI | 0905-0220P | 8352 |

2292 7590 05/28/2003

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| EXAMINER |
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TRAN, DOUGLAS Q

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| ART UNIT | PAPER NUMBER |
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2624

DATE MAILED: 05/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/377,821

Applicant(s)

NIHEI, KANAME

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Owa et al. (US Patent No. 6,348,971 B2).

As to claim 1, Owa teaches a multiple-printer control apparatus (1 in fig. 2) for controlling a plurality of printers (2 in fig. 2), comprising:

A print-processing capability detection unit (i.e., the basic information setting section 12 in fig. 2) for detecting print processing capability of each of the printers (col. 3, lines 51-65, col. 4, lines 55-59);

An overall-workload detection unit (i.e., S44 in fig. 11) for detecting overall workload of printing performed using the plurality of printers (the table in fig. 9a, col. 10, lines 23-34);

A printer control unit (i.e., the printer selection section 25 in fig. 7) for performing control, on the basis of print processing capabilities and the overall workload by a print-processing capability detection unit and an overall-workload detection unit, in such a manner that print data, which represents at least one of images and characters to be printed (col. 8, lines 31-

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35; the image and characters data is obtained in the print document), is applied to each of the printers, and each printer of the printers prints at least one of images and characters the number of sheets whereof conforms to a number of prints (col. 8, lines 35-39; col. 4, lines 38-43 shows the number of pages are printed and displayed in the fig. 12b).

As to claim 2, Owa teaches that the printer control unit controls the plurality of printers in such a manner that the print processing executed by the plurality of printers ends approximately simultaneously (note: since number of printers simultaneously shared to print a document in which each page is distributed to each printer, the print processing executed by the plurality of printers would ends approximately simultaneously).

As to claim 3, Owa teaches that the print processing capability detection unit includes: a print processing capability storage unit for storing, in advance, data representing the print processing capability of each printer; and a unit for reading out data representing print processing capability data storage unit (in step of S44 in fig. 11, the printer state management table is looked up and prepared to step of S45).

As to claim 4, Owa teaches that print-processing capability detection unit has a determination unit for determining whether data representing print processing capability of a connected printer has been stored in the print processing capability data storage unit (see steps of S 44 and S45); and

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In response to a determination by the determination unit that data representing print processing capability of a connected printer has not been stored in the print processing capability data storage unit, predetermined print data is applied to the printer for which it has been determined that the data representing print processing capability has not been stored, and this printer is caused to print the predetermined print data, whereby the print processing capability of this printer is detected (col. 7, lines 27-39).

As to claim 5, teaches the method for controlling a plurality of printers, comprising step of :

detecting print processing capability of each of the printers (col. 3, lines 51-65, col. 4, lines 55-59);

detecting overall workload of printing performed using the plurality of printers (the table in fig. 9a, col. 10, lines 23-34);

performing control, on the basis of print processing capabilities and the overall workload by a print-processing capability detection unit and an overall-workload detection unit, in such a manner that print data, which represents at least one of images and characters to be printed (col. 8, lines 31-35; the image and characters data is obtained in the print document), is applied to each of the printers, and each printer of the printers prints at least one of images and characters the number of sheets whereof conforms to a number of prints (col. 8, lines 35-39).

Examiner's Remarks

Anderson et al. (US Patent No. 5,140,674) discloses the color printer is of the type which prints color graphics incrementally and the text printer is of the type which prints monochrome text continuously. In operation, printing information is segregated into color and text components, and the color printer is controlled to print only color components while the text printer is controlled to print only monochrome text components.

Kishida (US Patent No. 5,995,722) discloses an information processing system comprising a host computer and at least two printers having different interfaces.

Response to Arguments and Amendment

Applicant's arguments filed 3/19/03 have been fully considered but they are not persuasive.

Applicant asserted in page 4 " Owa et al. fails to disclose, however, detecting overall workload of printing to be performed ". In reply, Owa clearly teaches, with respect to col. 8, lines 17-38, a print data generation system 21 is provided, for example, in a host computer comprising print data generation means 22 for generating print data, user information detection means 23 for detecting and retaining user information for each print page based on at least specified print contents (user print conditions and document features), a printer state management table for storing and managing the printer state of printers 31a-31c (basic information and status information), printer selection means 25 for selecting a printer appropriate for printing each print page based on the printer state of each printer 31a-31c and the user information, and setting means 26 for setting the print data generation means 22 to relate the

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means to the printer selected by the printer selection means 25. When a document print command is entered, the user information detection means 23 detects user specifications, i.e., color or monochrome print, print resolution, presence or absence of image data, used font type, etc., for each print page based on user-set or entered information and document features. The printer selection means 25 selects a printer appropriate for printing for each print page based on the printer state of each printer 31a-31c and the user information.

Therefore, Owa clearly discloses overall workload of printing is detected and performed.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

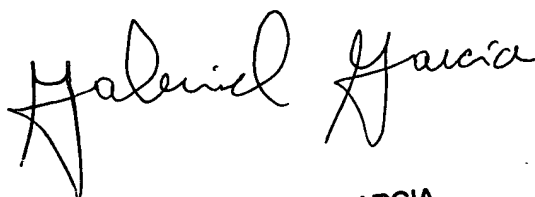
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran

May 27, 2003

A handwritten signature in cursive script that reads "Gabriel Garcia". The signature is written in black ink and is positioned above a printed nameplate.

GABRIEL GARCIA
PRIMARY EXAMINER